

April 22, 2022

Hon. Valerie Caproni  
United States District Judge  
United States District Court  
40 Foley Square  
Southern District of New York  
New York, NY 10007

*Re: DEFENDANT AME & RAY Co LLC'S MOTION TO DISMISS  
PLAINTIFF TANGLE, INC.'S COMPLAINT FOR FAILURE TO  
STATE A CLAIM (Case No.: 1:22-cv-02350-VEC)*

Hon. Vaerie Caproni:

DEFENDANT AME & RAY CO LLC ("Defendant"), by and through its counsel Robert M. DeWitty, hereby moves this Court to dismiss the instant action on the basis of Plaintiff failing to state a claim against Defendant.

Specifically, as supported by the attached supporting Memorandum, Declaration, and Exhibits, Plaintiff has failed to provide any evidence specific to defendant of the misappropriation of Plaintiff's copyrighted works and registered trademarks. Even following repeated requests for information, Plaintiff's counsel has not provided any evidence or information. The lack of support for the allegations fails to satisfy the *prima facie* standards required for trademark infringement and copyright infringement.

Defendant requests this Court to dismiss the present action against him.

Date: April 22, 2022

Respectfully Submitted:



---

Robert DeWitty  
Appearing *Pro Hac Vice*  
Attorney, Defendant AME & RAY Co LLC

700 12th Street, Ste. 700  
PMB 97684  
Washington, D.C. 20005

ENCLOSURES.